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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/701,157	11/22/2000	George Friedman	1206-PCT-US-00	7408
35811 7590 11/30/2007 IP GROUP OF DLA PIPER US LLP ONE LIBERTY PLACE 1650 MARKET ST, SUITE 4900 PHILADELPHIA, PA 19103			EXAMINER CALLAHAN, PAUL E	
			ART UNIT 2137	PAPER NUMBER
			MAIL DATE 11/30/2007	DELIVERY MODE PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

## Office Action Summary

Application No.

09/701,157

Applicant(s)

FRIEDMAN ET AL.

Examiner

Paul Callahan

Art Unit

2137

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --  
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☒ Responsive to communication(s) filed on 23 October 2007.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 1-149 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☒ Claim(s) 1-94 and 129-149 is/are allowed.
- 6) ☒ Claim(s) 95-97 and 108 is/are rejected.
- 7) ☒ Claim(s) 98-107 and 109-128 is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
  - ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.

### Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO/SB/08)  
Paper No(s)/Mail Date \_\_\_\_\_
- 4) ☒ Interview Summary (PTO-413)  
Paper No(s)/Mail Date. \_\_\_\_\_
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: \_\_\_\_\_

## DETAILED ACTION

### ***Continued Examination Under 37 CFR 1.114***

1. A request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(e), was filed in this application after final rejection. Since this application is eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e) has been timely paid, the finality of the previous Office action has been withdrawn pursuant to 37 CFR 1.114. Applicant's submission filed on October 23, 2007 has been entered.

2. Claims 1-149 are pending and have been examined.

### **Claim Rejections - 35 USC § 103**

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

*(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.*

4. Claims 95-97 and 108 are rejected under 35 U.S.C. 103(a) as being unpatentable over Schneck et al., US 5,933,498, Lee et al., US 6,163,859, and Lettvin, US 5,559,960.

As for claim 95, the claim is directed towards a receiver that processes data associated with a package by storing the data in a vault. As such, the configuration of the received data is immaterial to the receiver. Therefore, the claim limitation of: the package comprising data bundled together with one or more permissions for regulating use of the data, the one or more permissions comprising one or more usage rule sets, will not be given patentable weight.

Schneck teaches a system for maintaining data security (abstract) comprising: a receiver for processing a package associated with a vault (col. 15 lines 20-63), the vault located within the receiver for storing the data (col. 15 lines 20-63). Schneck teaches the vault contents as invisible to a user (col. 16 lines 27-59). Schneck does not teach that the vault is comprised of dedicated hard drive space. However Lee does teach this step (fig. 1 item 106: Client Vault, col. 4 lines 10-21). Therefore it would have been obvious to one of ordinary skill in the art at the time of the invention to incorporate this step into the system of Schneck. Motive to make this combination is found in Schneck col. 20 lines 20-26 and col. 15 line 36 where the use of a hard drive and a laptop computer are discussed as embodiments of the access mechanism. Therefore, Schneck does contemplate use of a hard drive for some aspects of memory of the user access mechanism. It would be a simple step to dedicate space on the hard drive of Schneck to serve as a vault. It would be desirable to do so since one step in tamper prevention discussed by Schneck is erasure of data. A hard drive would facilitate this. The combination of Schneck and Lee do not teach that the existence of the dedicated hard drive space is invisible to a user, or that the existence and contents of the hard

Art Unit: 2137

drive space are made invisible to a user by assignment of false file names and locations as seen by the user. However, Lettvin teaches these features (col. 8 lines 45-55).

Therefore it would have been obvious to one of ordinary skill in the art at the time the invention was made to incorporate these features into the system of Schneck and Lee.

It would have been obvious to do so since this would increase the security of data storage.

As for claim 96, Schneck teaches a method according to claim 4 wherein the step of providing a receiver further comprises providing internal security (col. 15 line 50 through col. 16 line 20).

As for claim 97, Schneck teaches a method according to claim 1 further comprising detecting violation of said one or more permissions (col. 18 lines 10-60, col. 15 lines 20-25).

As for claim 108, Schneck teaches a system according to claim 96 comprising: a machine readable medium having information packaging software that generates a computer executable file (col. 9 lines 45-55), comprising a package of information 9 LINES 45-67), the package of information comprising: a file of data; a permissions database having one or more permissions associated with the file of data (COL. 9 lines 45-67); an encryption software (col. 12 lines 1-16, col. 14 lines 6-15), a network in communication with the machine readable medium (col. 9 lines 40-45); a client

Art Unit: 2137

computer system in communication with the network (col. 9 lines 40-45), the computer system adapted to receive the package of information and execute the computer executable file (col. 9 lines 40-45), the computer system having a client permissions database (col. 9 lines 55-60), and a vault adapted to receive the package of information (col. 16 lines 27-59).

### **Allowable Subject Matter**

5. Claims 1-95 and 129-149 are allowed.
6. Claims 98-107 and 109-128 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

### **Conclusion**

7. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Paul E. Callahan whose telephone number is (571) 272-3869. The examiner can normally be reached on M-F from 9 to 5.

If attempts to reach the examiner by telephone are unsuccessful, the Examiner's supervisor, Emmanuel Moise, can be reached on (571) 272-3865. The fax phone number for the organization where this application or proceeding is assigned is: (571) 273-8300.

Art Unit: 2137

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

*Paul Callahan*

/Paul Callahan/

November 27, 2007

*of the*  
FEDERAL BUREAU OF  
SURVEILLANCE